



General Assembly

January Session, 2011

Raised Bill No. 1049

LCO No. 3772

03772_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT REQUIRING CERTAIN PROPERTY OWNERS TO PROVIDE
NOTICE OF BED BUG INFESTATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) Prior to entering into an
2 agreement for the sale or lease of a condominium unit, a unit owner, as
3 defined in section 47-202 of the general statutes, shall provide the
4 prospective buyer or lessor of such unit with a written notice, in a
5 format prescribed by the Department of Public Health, that sets forth
6 the unit's bed bug infestation history for the one-year period preceding
7 the date of such agreement.

8 Sec. 2. (NEW) (*Effective October 1, 2011*) Prior to entering into a rental
9 agreement, a landlord shall provide a prospective tenant with a
10 written notice, in a format prescribed by the Department of Public
11 Health, that sets forth the dwelling unit's bed bug infestation history
12 for the one-year period preceding the date of the rental agreement.

13 Sec. 3. (NEW) (*Effective October 1, 2011*) (a) As used in this section:

14 (1) "Hotel" means any building regularly used and kept open as

15 such for the feeding and lodging of guests where any person who
16 conducts himself properly and who is able and ready to pay for such
17 services is received if there are accommodations for such person and
18 which derives the major portion of its operating receipts from the
19 renting of rooms and the sale of food. "Hotel" shall include any
20 apartment hotel wherein apartments are rented for fixed periods of
21 time, furnished or unfurnished, while the keeper of such hotel supplies
22 food to the occupants thereof, if required;

23 (2) "Lodging house" means any building or portion of a building,
24 other than a hotel or apartment hotel, in which persons are lodged for
25 hire with or without meals, including, but not limited to, any motel,
26 motor court, motor inn, tourist court or similar accommodation,
27 provided the terms "hotel", "apartment hotel" and "lodging house"
28 shall not be construed to include: (A) Privately owned and operated
29 convalescent homes, residential care homes, homes for the infirm,
30 indigent or chronically ill; (B) religious or charitable homes for the
31 aged, infirm, indigent or chronically ill; (C) privately owned and
32 operated summer camps for children; (D) summer camps for children
33 operated by religious or charitable organizations; (E) lodging
34 accommodations at educational institutions; or (F) lodging
35 accommodations at any facility operated by and in the name of any
36 nonprofit charitable organization, provided the income from such
37 lodging accommodations at such facility is not subject to federal
38 income tax; and

39 (3) "Operator" means any person operating a hotel or lodging house
40 in the state, including, but not limited to, the owner or proprietor of
41 such premises, lessee, sublessee, mortgagee in possession, licensee or
42 any other person otherwise operating such hotel or lodging house.

43 (b) Prior to making any room available to a prospective guest of a
44 hotel or lodging house, the operator of any such hotel or lodging house
45 shall provide the prospective guest with written or verbal notice that
46 sets forth the hotel's or lodging house's bed bug infestation history for

47 the one-year period preceding the date on which the guest makes an
48 inquiry as to the availability of a room at such hotel or lodging house.
49 If a prospective guest makes a room reservation at a hotel or lodging
50 house in advance of the date that such guest is to occupy a room such
51 hotel or lodging house and subsequent to the date the reservation is
52 made there is a bed bug infestation at the hotel or lodging house, the
53 operator of any such hotel or lodging house shall, not later than
54 twenty-four hours after the operator discovers the infestation, provide
55 written or verbal notice of the infestation to the guest who made the
56 reservation. The written notice prescribed by this subsection shall be in
57 a format prescribed by the Department of Public Health and may be
58 transmitted by a hotel or lodging house by electronic mail. The
59 operator of a hotel or lodging house may provide verbal notice of any
60 such infestation when compliance with the provisions of this
61 subsection through written notification is not possible or impractical,
62 provided such verbal notice includes all information required
63 pursuant to section 4 of this act.

64 Sec. 4. (NEW) (*Effective from passage*) On or before September 1, 2011,
65 the Department of Public Health shall develop a form for the written
66 notice required pursuant to sections 1 to 3, inclusive, of this act, that
67 shall be used to document any bed bug infestation that occurs in a
68 dwelling unit, as defined in section 47a-1 of the general statutes, a
69 condominium unit, as described in section 47-202 of the general
70 statutes, or a hotel or lodging house, as such terms are defined in
71 section 3 of this act. The form of written notice developed by the
72 department shall minimally require that the following information be
73 documented with respect to any bed bug infestation: (1) The dates of
74 any such infestation, (2) the extent to which the infestation affected the
75 property, (3) methods used to eradicate the infestation, and (4) the date
76 on which the infestation ceased to exist. The department shall require
77 the dissemination of such form of written notice to certain persons as
78 more particularly set forth in sections 1 to 3, inclusive, of this act. Upon
79 written complaint from any person who alleges that he or she did not
80 receive the written notice as provided for in sections 1 to 3, inclusive,

81 of this act, the department shall investigate the allegation underlying
82 the complaint and may order that written notice be provided in
83 accordance with sections 1 to 3, inclusive, of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	New section
Sec. 4	<i>from passage</i>	New section

Statement of Purpose:

To require certain property owners to provide notice of a bed bug infestation to prospective purchasers, tenants and guests of the property.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]